

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

SHARON BUSH ELLISON,)	
)	
Plaintiff,)	
)	
v.)	CV 122-143
)	
UNKNOWN,)	
)	
Defendant.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. In lieu of filing objections to the recommendation for dismissal based on the failure to submit an updated motion to proceed *in forma pauperis* ("IFP") and an amended complaint, Plaintiff, who is proceeding *pro se*, filed multiple motions, an untimely amended complaint which in no way complies with the pleading requirements of Federal Rule of Civil Procedure 8, and attempted an interlocutory appeal with the Eleventh Circuit Court of Appeals. (See doc. nos. 9-16, 19.) The Eleventh Circuit dismissed the appeal for want of prosecution. (Doc. no. 20.)

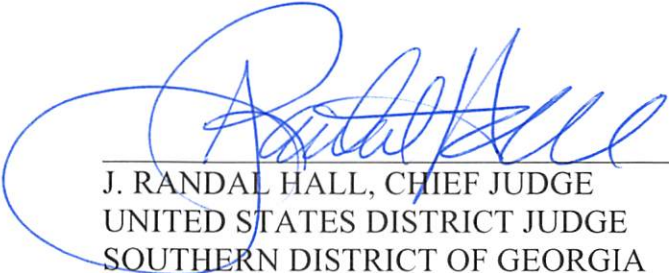
Dismissal of the case in this Court is now appropriate. Not only did Plaintiff fail to file any timely response to the November 10, 2022 Order directing her to file an updated IFP motion and amended complaint, but the information eventually provided was not in compliance with the instructions in the November 10th Order. For instance, Plaintiff did not provide any substantive financial information that would allow the Court to determine whether

she should be permitted to proceed IFP. Nor did she utilize the form complaint the Clerk included with Plaintiff's service copy of the Order, or provide the information required by the form such that the Court could conclude she states a claim for relief, let alone that the Court has jurisdiction to hear any such claims, under the pleading rules of Federal Rule of Civil Procedure 8. As the Eleventh Circuit has explained, "[O]nce a *pro se* litigant is in court, [s]he is subject to the relevant law and rules of court, including the Federal Rules of Civil Procedure." Moon v. Newsome, 863 F.2d 835, 837 (11th Cir. 1989)).

Plaintiff neither met the deadline for compliance with the November 10th Order, nor provided the necessary information required by that Order. The subsequent filings offer nothing to show Plaintiff should be excused from compliance with the minimal – and valid – requirements in the November 10th Order. To the extent Plaintiff's filings subsequent to the recommendation for dismissal could be interpreted as requests she be excused from compliance with that Order, they are denied. Plaintiff's refusal to comply with deadlines and satisfy the minimum requirements for proceeding in federal court requires that her case be dismissed.

Accordingly, the Court **ADOPTS** the Report and Recommendation Magistrate Judge as its opinion, **DISMISSES** this case without prejudice, and **CLOSES** this civil action.

SO ORDERED this 10th day of February, 2023, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA